

REMARKS/ARGUMENTS

Claim 1 has been amended to include the limitations of claims 2 and 3, and further to recite the Thermal transfer material being applied directly to the surface of a gravure printing plate cylinder. Support for this limitation is found in Figures 1-5 and the description thereof at pages 8-11. At page 2, lines 6-8 it is noted that in gravure printing "it is not printing plates which are fitted but the plate cylinder surfaces themselves which one prepared as printing plates". The resolution is several times higher than exclusively ablative laser image setting or mechanical gouge engraving (page 17, lines 11-13).

Claims 1-2 and 17 stand rejected under 35 USC §103 as being unpatentable over Bauer DE 4117127, Takahashi U.S. 5,608,441, and Dauer U.S. 5,601,022. This rejection is rendered moot by the amendment to incorporate the limitation of claim 3.

Claim 1-4 and 17 stand rejected under 35 USC as being unpatentable over Bauer, Takahashi, Dauer, and Kesper DE 199 14 323. To the extent that this rejection would be applied to claim 1 as presently amended, such rejection is traversed for the reasons following.

Bauer discloses a recording element comprising a dimensionally stable base (A), a light sensitive recording layer (B), an optically transparent top coating (C), and a mask (D) formed on the top coating (C). The layer (B) can be a positive-producing layer (B1) or a negative-producing layer (B2). The mask (D) includes coated areas (D1) and uncoated areas (D2). In the paragraph at pages 22-23 it is noted that the recording element (A, B, C, D) can be used to produce a camera-ready gravure printing plate by exposing the recording layer (B1) or (B2). The image mask (D) is washed off, and the cover layer (C) is at least partially dissolved as either the unexposed areas (B1) or the exposed areas (B2) are rinsed off in a developing solvent, leaving either exposed

areas (B1) or unexposed areas (B2). There are no details of how the resulting product would be used to manufacture a gravure printing plate.

There is no suggestion in Bauer that the carrier (A) could be a gravure printing plate cylinder or that the mask (D) could be applied directly to the cylinder. On the contrary, it is central to the teaching of Bauer that a light sensitive recording layer be present. Any modification of Bauer to eliminate layer (B) would change the principle of operation. The teachings of this reference are therefore not sufficient to render the claims *prima facie* obvious. In re Ratti, 123 USPQ 349 (CCPA 1959). See also MPEP 2143.02.

Takahashi discloses the transfer of an image forming material 6 from a support film 5 to an adhesive layer 3 on a paper substrate 2. Here, too, there is no suggestion to apply the material 6 directly to the surface of a gravure printing cylinder. The combination of Takahashi and Bauer suggests little more than the application of Bauer's mask (D) by thermal transfer methods.

Dauer teaches the manufacture of an offset printing plate in a machine by the thermal transfer of a hydrophilic or hydrophobic material. There is no suggestion in Dauer to form a mask on a gravure cylinder, or to form gravure printing cells by etching the surface of the cylinder exposed by such a mask. The Examiner maintains that Dauer makes it obvious to form the mask (D) of Bauer in a printing machine. However Bauer teaches away from forming the mask in a printing machine, which is present in a print shop. An object of Bauer is to produce a sheet-like or cylinder-shaped recording element in a production plant, so that the element can be returned to the print shop for further processing. It is also possible for the production plant to supply a finished gravure printing plate to the print shop. See page 22, lines 1-11.

Kesper teaches spraying wax onto the surface of a rotogravure printing roller to form a mask which protects selected areas of the roller against subsequent etching. There is no suggestion that the mask be applied to a roller in a printing machine.


From the foregoing it will be apparent that none of the references suggests applying a mask to gravure printing cylinder in a printing machine, and none of the references provides any basis for deleting the light sensitive recording layer (B) from recording element (A, B, C, D) of Bauer. Indeed, as pointed out above, such a modification would so alter the principle of operation of Bauer as to be impermissible.

The claims as amended being definite and patentable over the art of record, withdrawal of the rejections and early allowance are solicited. If any objections remain, a call to the undersigned is requested.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By 
F. Brice Faller
Reg. No. 29,532
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

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